

HUDSON
35799-041502



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***APRIL 15, 2002
12:00 NOON***

***ROANOKE CIVIC CENTER
EXHIBITION HALL***

AGENDA FOR THE COUNCIL

**The Mayor and Members of Roanoke City Council welcome all participants
in 2002 Student Government Day activities.**

Call to Order--Roll Call. (Council Member White was absent.)

The invocation was delivered by Sherman P. Lea, Chair, Roanoke City School Board.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

**THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED IN
RECESS TO BE RECONVENED AT 2:00 P.M., IN THE ROANOKE
CITY COUNCIL CHAMBER, NOEL C. TAYLOR MUNICIPAL
BUILDING, 215 CHURCH AVENUE, S. W., ROANOKE, VIRGINIA.**



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***APRIL 15, 2002
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call. (Council Member White was absent.)

The Invocation was delivered by Claudia A. Whitworth, Secretary of the Local Spiritual Assembly of Baha'i of Roanoke.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTN Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, April 18, 2002, at 7:00 p.m., and Saturday, April 20, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

Proclamation declaring Monday, April 15, 2002, as Student Government Day 2002.

File #3-304

Proclamation declaring the week of April 14 – 20, 2002, as National Telecommunicator's Week.

File #3-262

A resolution recognizing the City's E-911 Center personnel as Roanoke Public Safety Telecommunicators for the Year 2002.

Adopted Resolution No. 35799-041502. (6-0.)

File #188-262

Proclamation declaring the month of April 2002 as Fair Housing Month.

File #3-178

3. CONSENT AGENDA

(APPROVED 6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meeting of Council held on Monday, March 18, 2002.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

C-2 A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in the request.

File #110-132

- C-3 A communication from the City Manager requesting a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in the request.
WITHDRAWN

- C-4 Qualification of William F. Clark as a member of the Towing Advisory Board for a term ending June 30, 2004.

RECOMMENDED ACTION: Receive and file.
File #5-15-110-530

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. A communication from John R. Hubbard, Chief Executive Officer, Roanoke Valley Resource Authority, transmitting the Resource Authority's Annual Budget for Fiscal Year 2002-03, totaling \$8,269,925.00.

Adopted Resolution No. 35801-041502. (6-0.)
File #60-253

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS:

1. Presentation of the City of Roanoke Fiscal Year 2002-03 Recommended General Fund Budget and HUD Budget (15 minutes).
File #10-60-178

ITEMS RECOMMENDED FOR ACTION:

2. A communication recommending rejection of all bids in connection with the City's new Risk Management Information System; and authorization to use competitive negotiation to secure vendors for the new system.

Adopted Resolution No. 35802-041502. (6-0.)
File #301-396

Council Member Wyatt and Mayor Smith spoke in support of preparing a Technology Master Plan for the City of Roanoke.

3. A communication recommending execution of Change Order No. 3 to the contract with H. & S. Construction Co., for construction of storm drain improvements at Guildhall Avenue and Cove Road, N. W., in the amount of \$37,500.00 and 30 additional days of contract time; and transfer of funds in connection therewith.

Adopted Budget Ordinance No. 35803-041502 and Ordinance No. 35804-041502. (6-0.)
File #27-57-60

4. A communication recommending execution of Change Order No. 8 to the contract with T. P. Parker and Son, Engineers and Surveyors, LTD, for surveying and mapping services for the Roanoke River Flood Reduction Project, in the amount of \$33,990.00, and extension of contract time through December 31, 2002.

Adopted Ordinance No. 35805-041502. (5-0, Mayor Smith abstained from voting.)
File #237

5. A communication recommending execution of a contract with Appalachian Power Co., d/b/a American Electric Power for relocation of a transmission line in connection with the Roanoke River Flood Reduction Project, in an amount not to exceed \$2,060,384.00.

Adopted Ordinance No. 35800-041502. (6-0.)
File #29-237-433-472

6. A communication recommending acceptance of the bid submitted by Sheldon C. Nichols Construction Corp., to provide an emergency generator, a new uninterruptible power system, an automatic transfer switch and re-work present battery back-up for the Department of Technology, in the amount of \$97,000.00; reject all other bids received by the City; and transfer of funds in connection therewith.

Adopted Budget Ordinance No. 35806-041502 and Ordinance No. 35807-041502. (6-0.)
File #60-301-472

7. A communication recommending acceptance of the bids submitted by Magic City Motor Corp. for two cab/chassis, in the total amount of \$82,140.00; and Mid-State Equipment Co., Inc., for two 11 cubic yard bodies, in the amount of \$54,550.00, for use by Solid Waste Management; and reject all other bids received by the City.

Adopted Resolution No. 35808-041502. (5-1, Council Member Wyatt voted no.)
File #144-472

8. A communication recommending execution of a Lease Agreement with the Commonwealth of Virginia Department for the Blind and Vision Impaired for the dining facility located in the Noel C. Taylor Municipal Building, for a term of one year with four additional one-year renewal options.

Adopted Ordinance No. 35809-041502. (6-0.)
File #32-209-373

9. A communication in connection with a Performance Agreement with Advance Stores Co., Inc., and a Traffic Signals Termination Agreement with Roanoke County.

**Adopted Budget Ordinance No. 35810-041502, Resolution No. 35811-041502, and Ordinance No. 35812-041502. (6-0.)
File #20-60-450-514**

10. A communication with regard to award of a contract in connection with the Roanoke Civic Center Expansion and Renovation, Phase I Project.

**Adopted Ordinance No. 35813-041502. (6-0.)
File #192**

11. A communication with regard to emergency water supply projects.

**Adopted Budget Ordinance No. 35814-041502 and Ordinance No. 35815-041502. (6-0.)
File #60-468**

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 35791, on second reading, amending and reordaining certain sections of the 2001-2002 General Fund Appropriations.

**Adopted Budget Ordinance No. 35791-041502. (6-0.)
File #60-144-472**

- b. A resolution establishing the date of a Special Meeting of the Council of the City of Roanoke.

**Adopted Resolution No. 35816-041502. (6-0.)
File #60-132**

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Council Member Hudson reiterated previous remarks with regard to using a smaller bus for the employee shuttle from the Roanoke Civic Center to downtown Roanoke.
File #55-192**

**The Mayor inquired as to the status of a briefing with regard to the transit system; whereupon, it was the consensus of Council that a special meeting of the GRTC Board of Directors will be held on Monday, April 29, 2002, to discuss transit operations.
File #55**

**Council Member Wyatt commended the City Manager for her prompt response to certain questions regarding tattoo parlors in the Williamson Road area. She expressed appreciation to Ms. Marion Vaughn-Howard, Youth Planner, for including students from Westside Elementary School in the Student Government Day Luncheon which was held on April 15. She called attention to concerns expressed by owners of businesses located in the Williamson Road area in regard to teenagers congregating at the intersection of Williamson Road and Trinkle Avenue, N. W.
File #20-66-80-304-467**

**The Mayor expressed concern with regard to teenagers also congregating at Trinkle Avenue and Winsloe Drive, N. W.
File #20-66-304**

Vice-Mayor Carder expressed concern with regard to a decrease in State funding of the Higher Education Center, and that the Senate Finance and House Appropriations Committee has encouraged the Higher Education Center to seek funding from the local governments in its primary service area to complement state funding.

File #60-414

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

11. CITY MANAGER COMMENTS:

As water conservation tips, the City Manager presented a card that will be supplied to local restaurants for display asking that water be served by request only with meals, and an additional card that hotels are requested to display in hotel rooms in regard to laundering linens and towels.

File #468

12. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS ALSO A TIME FOR INFORMAL DIALOGUE BETWEEN COUNCIL MEMBERS AND CITIZENS. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Ms. Helen E. Davis, 35 Patton Avenue, N. E., addressed Council in connection with screen doors for residents of Lincoln Terrace.

File #66-178

The meeting was declared in recess for one closed session.

CERTIFICATION OF CLOSED SESSION. (5-0, Council Member Wyatt was out of the Council Chamber when the vote was recorded.)

Kirk A. Ludwig was appointed as a member of the Advisory Board of Human Development for a term ending November 30, 2005.

File #15-110-318

AT 4:57 P.M., THE MAYOR DECLARED THE MEETING IN RECESS TO BE IMMEDIATELY RECONVENED IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM.



***CITY COUNCIL/BOARD OF ZONING APPEALS
JOINT MEETING***

5:00 P.M.

***EMERGENCY OPERATIONS CENTER
CONFERENCE ROOM***

AGENDA

1. Introduction and General Comments. Benjamin S. Motley, Chair, Board of Zoning Appeals.
2. Update on training for Board of Zoning Appeals Members. Mr. Motley.
3. Board Attendance. Mr. Motley.
4. Telecommunications Ordinance. Mr. Motley.
5. Efforts to make procedures of the Board of Zoning Appeals more citizen friendly. Mr. Motley.
6. Zoning Enforcement. Mr. Motley.
7. General Discussion. City Council/Board of Zoning Appeals.

**AT 6:10 P.M., THE MAYOR DECLARED THE MEETING IN RECESS
TO BE RECONVENED AT 7:00 P.M. IN THE CITY COUNCIL
CHAMBER.**



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***APRIL 15, 2002
7:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

Call to Order -- Roll Call. (Council Member White was absent.)

The Invocation was delivered by Council Member C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

Welcome. Mayor Smith.

NOTICE:

Tonight's meeting will be televised by RVTV Channel 3 to be replayed on Thursday, April 18, 2002, at 7:00 p.m., and Saturday, April 20, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

A. PUBLIC HEARINGS:

1. Public hearing to receive the views of citizens regarding appointment of two Trustees to the Roanoke City School Board for three year terms of office, commencing July 1, 2002 and ending June 30, 2005. Candidates are:

Carl D. Cooper
Edward Garner
William H. Lindsey
William E. Skeen
Robert J. Sparrow

All comments were received and filed.

File #110-467

2. Public hearing on the request of Cesar Dominguez that a tract of land located at 325 Jefferson Street, N. E., identified as Official Tax No. 3012801, be rezoned from RM-2, Residential Multi-family Medium Density District, to C-3, Central Business District, subject to certain conditions proffered by the petitioner. Cesar Dominguez, Spokesperson.

Adopted Ordinance No. 35817-041502. (6-0.)

File #51

3. Public hearing on the request of Michael A. Wells on the question of amending, repealing or replacing proffered conditions authorized by Ordinance No. 32294-121994 presently binding upon Official Tax No. 2761409 and rezoning Official Tax No. 2761409 from RS-3, Residential Single Family, Low Density District, to C-2, General Commercial District; and rezoning Official Tax No. 2761421 from RS-3, Residential Single-Family Low Density District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioner. Michael A. Wells, Spokesperson.

Adopted Ordinance No. 35818 on first reading. (4-2, Council Members Wyatt and Bestpitch voted no.)

File #51

4. Public hearing to consider amendments to the Enterprise Zone Program.
Darlene L. Burcham, City Manager.

Adopted Budget Ordinance No. 35819-041502 and Ordinance No. 35820-041502. (6-0.)

File #266

5. Public hearing on the request of The Rescue Mission of Roanoke, Inc., that a tract of land containing 3.56 acres located on Tazewell Avenue, 4th Street and Dale Avenue, S. E., consisting of 25 tracts of land, be rezoned from RM-2, Residential Multi-Family Medium Density District, and C-2, General Commercial District, to INPUD, Institutional Planned Unit Development District, subject to certain conditions proffered by the petitioner. Maryellen F. Goodlatte, Attorney.

Adopted Ordinance No. 35821-041502. (5-1, Council Member Wyatt voted no.)

File #51

Council Member Harris called attention to the need for a “Zero Tolerance Policy” in addressing crime issues in the area of the Rescue Mission.

6. Public hearing on the request of The Rescue Mission of Roanoke, Inc., that certain alleys in the vicinity of Dale Avenue and 4th Street, S. E., be permanently vacated, discontinued and closed. Maryellen F. Goodlatte, Attorney.

Adopted Ordinance No. 35822-041502. (5-1, Council Member Wyatt voted no.)

File #514

B. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS ALSO A TIME FOR INFORMAL DIALOGUE BETWEEN COUNCIL MEMBERS AND CITIZENS. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

1. Presentation by the Washington Park Improvements and Memorial Committee. Evelyn D. Bethel and Freddie Monk, Co-Chairs, Spokespersons.

The matter was referred to the City Manager for review and report to Council within 30 days.

File #67-110

Ms. Wyatt requested that the comfort station issue be addressed as soon as possible.

Mr. Robert Gravely, 617 Hanover Avenue, N. W., addressed Council with regard to the pay scale for City employees.

File #66-184

THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL THURSDAY, APRIL 18, 2002, AT 12:00 NOON, FOR A MEETING OF THE ROANOKE VALLEY LEADERSHIP SUMMIT AT THE CENTER FOR APPLIED TECHNOLOGY AND CAREER EXPLORATION, TECHNOLOGY DRIVE, ROUTE 220 NORTH (BUSINESS) (NORTH MAIN STREET), ROCKY MOUNT, VIRGINIA; TO BE HOSTED BY THE COUNTY OF FRANKLIN; AND THE MEETING WILL AGAIN BE DECLARED IN RECESS UNTIL 4:30 P.M., ON THE SAME DATE IN THE ROANOKE CITY COUNCIL CHAMBER, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., FOR FIVE INTERVIEWS FOR APPOINTMENTS TO THE ROANOKE CITY SCHOOL BOARD.